

Lib. L. L. Tobacco att the Choice of the party paying or owing the Same shall pay for every such default the Summe of Two Thousand pounds of Tobacco one halfe to his Ma^{ty} for Supporte of the Governm^t the other halfe to the Party grieved to be recovered in any Court of Record within this Province by Action of Debt Bill Plaint or Information wherein no Essoyne Protection or Wager of Law to be allowed, And if it shall so happen that any time any Sherriffe shall Seize any hhd^d of Tobacco which shall weigh more then Such Leavy or Leavys shall amount unto if the remaining part due to the party or partys from whom they shall receive Such Leavy or Leavys be the greater quantity then and in every Such Case the said Sheriffe or Sherriffs shall take out of the said hogshead Such quantity or Quantitys of Tobacco due to him for such Leavy or Leavys and the said hhd and the remaining part of the Tobacco shall be and remaine with the Party or Partys pay-
 p. 249 ing the Same but if the remaining Part of Such hogshead of Tobacco so Seized as aforesaid and belonging to the Party or Partys paying the Same shall be the less quantity then is due to the s^d Sherriffe or Sherriffs for Leavys as aforesaid then and in every such Case the Owner or Owners of Such Tobacco shall take out the Overplus of Such Tobacco and the hhd^d with the remaining part shall belong to such Sherriffe or Sherriffs receiving the same And be it further Enacted by the Authority aforesaid That no Sherriffe within this Province shall Take Exact receive of or from any person whatsoever fees Sallery Gratuity or reward for Serving any Writt Warrant or Precept from the Governor & Council as from any Justice of the Peace or for doing any other thing in any of the Courts of Record upon any Suite or Suites in Criminall Causes but the severall Sherriffs are hereby enjoyned to Execute the same ex-Officio and every Sherriffe Offending shall forfeitt the Summe of one Thousand pounds of Tobacco for every such Offence the one halfe to his Ma^{ty} his heires and Successors for the Support of Government the other halfe to the party grieved to be recovered in any Court of Record within this Province by Action of Debt Bill Plaint or Information wherein no Essoyne Protection or Wager of Law shall be Allowed And whereas many Litigious persons have and for the future may Comence Actions of Trespass upon the Case rather out of Spite and Malice then any reall Cause of Action and not Setting forth in the Originall Writt the Cause of Such Action yett lay the damage to a Vast summe to deterr persons from being Baile thereto for prosecution whereof for the future
 p. 250 be it Enacted by the Authority aforesaid That in all Actions of Trespass upon the Case where Damages are laid to be above four Thousand poundsof Tobacco if no Declaration be sent with